

**OFFICIAL SUMMARY PROCEEDINGS
OF THE BOARD OF COUNTY COMMISSIONERS, TETON COUNTY, WYOMING**

The Teton County Board of Commissioners met in regular meeting on **July 19, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:02 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

County Commission: Natalia Macker, Chairwoman, Luther Propst, Vice-Chairman, Mark Barron, and Mark Newcomb were present in-person, and Greg Epstein was present via Zoom.

ADOPTION OF AGENDA

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to adopt today's agenda with the addition of a letter to the Town Council Regarding the Stilson Transit Center BUILD Project Funding. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

MINUTES

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the 6-27-2022, 6-28-2022, and 7-5-2022. minutes. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to place the following Matters from Staff on a Consent Agenda:

2. Consideration of a Grant Agreement between the Wyoming Department of Health and Teton County for the Prevention of Alcohol, Tobacco, and Other Drugs and Suicide Prevention
3. Consideration of Contract for Architectural Services for GSB Addition
4. Consideration of Contract for Fire Alarm Services
5. Consideration of Wild Animal Feeding Video Contract
8. Consideration of FY23 Treatment Court Contract with Curran-Seeley
9. Consideration of FY23 Treatment Court Contract with Jackson Hole Community Counseling Center
10. Consideration of a Memorandum of Understanding Between the Town of Jackson and Teton County for Flat Creek Apartments
11. Consideration of Warranty Deeds for Jackson Street Apartments
12. Consideration of Employee Lease for 755 E. Hansen #101
13. Consideration of Contract with Rian Rooney for Professional Planning Services

Note: the item "Consideration of Contract for the Teton Mobility Project" which was continued from July 5 has been withdrawn.

Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the items on the Consent Agenda with the motion as stated in their respective staff report. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF:

2. Consideration of a Grant Agreement between the Wyoming Department of Health and Teton County for the Prevention of Alcohol, Tobacco, and Other Drugs and Suicide Prevention

To approve the grant agreement between the Wyoming Department of Health, Public Health Division and Teton County for the period July 1, 2022 – June 30, 2024.

3. Consideration of Contract for Architectural Services for GSB Addition

To approve the contract for architectural services relating to the design and construction of the Facilities Addition to the General Services Building to CoRRnice Architecture, LLC, in the amount of \$32,727.00.

4. Consideration of Contract for Fire Alarm Services

To approve the contract for Central Station Fire Alarm Services to Fire Services of Idaho

5. Consideration of Wild Animal Feeding Video Contract

To approve the licensing contract with Orijin Creative for the completion of a public information video on Teton County's wild animal feeding regulations in the amount \$4,625.

8. Consideration of FY23 Treatment Court Contract with Curran-Seeley

To approve the FY 23 Treatment Court Contract with Curran-Seeley Foundation in an amount, not to exceed \$39,300.

9. Consideration of FY23 Treatment Court Contract with Jackson Hole Community Counseling Center

To approve the FY 23 Treatment Court Contract with Jackson Hole Community Counseling Center in an amount, not to exceed \$14,800.

10. Consideration of a Memorandum of Understanding Between the Town of Jackson and Teton County for Flat Creek Apartments

To approve the Memorandum of Understanding between the Town and Teton County specifying control of Town assets contributed to the Housing Authority for Flat Creek Apartments.

11. Consideration of Warranty Deeds for Jackson Street Apartments

To approve the Warranty Deed for the following four parcels to the Community Foundation of Jackson Hole:

- Parcel 1: The North Half of Lots 4, 5 and 6 of Block 3 of the Fourth Karns Addition of the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk on June 7, 1955 as Plat Number 143.
- Parcel 2: The South Half of Lots 4, 5, and 6 of Block 3 of the Fourth Karns Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk on June 7, 1955 as Plat Number 143.
- Parcel 3: The North Half of Lots 3 and 4 of Block 2 of the Third Karns Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk on August 17, 1946 as Plat Number 130.
- Parcel 4: The South Half of Lots 3 and 4 of Block 2 of the Third Karns Addition to the Town of Jackson, Teton County, Wyoming, according that plat recorded in the Office of the Teton County Clerk on August 17, 1946 as Plat Number 130

12. Consideration of Employee Lease for 755 E. Hansen #101

To approve the Lease Agreement for 755 East Hansen Unit 101 with Clayton Kainer.

13. Consideration of Contract with Rian Rooney for Professional Planning Services

To approve the sole source Consultant Contract between Teton County and Rian Rooney for staff and technical support on the Northern South Park Implementation zoning.

DIRECT CORRESPONDENCE

1. LeeAnn Inberg-Schuff 6/28/2022 email regarding Fish Creek Rd
2. Anne Callison 6/28/2022 email regarding Grand Targhee Expansion
3. Kristin Vito 6/28/2022 email regarding Northern South Park
4. Clare Stumpf 6/29/2022 email regarding Northern South Park
5. Katherine Dowson 6/29/2022 email regarding Traffic Mitigation Measures in WYDOT Contract Process
6. Philip Gyr 6/29/2022 email regarding Wagering
7. Lynne Myers 6/30/2022 email regarding Letter to EyesonTetonCounty Re: Ads
8. Deidre Griffith 7/1/2022 email regarding Fairgrounds Future
9. Erika Edmiston 7/1/2022 email regarding Mill Levy Budget Request
10. Karen Connelly 7/1/2022 email regarding SPET Meeting Follow Up
11. Emma Harrison 7/1/2022 email regarding Future of Fairgrounds
12. Lisa Carranza 7/1/2022 email regarding Pari-Mutuel Wagering
13. Kathryn Nyrop 7/1/2022 email regarding Conservation Fund Ballot
14. Mary Smith 7/1/2022 email regarding Budget Decisions/Bonus
15. John Willott 7/1/2022 email regarding Skyline Ranch ISD Proposed Buget
16. Stephen Koch 7/1/2022 email regarding SPET Conservation Funding
17. Karen Connelly 7/1/2022 email regarding SPET Questions
18. Rick Jansen 7/2/2022 email regarding Rodeoground Future
19. Jesse Glick 7/2/2022 email regarding Litter in GTNP, etc.
20. Matt Hansen 7/4/2022 email regarding Wagering
21. Erik Kimball 7/4/2022 email regarding Wagering
22. Mark Hanson 7/5/2022 email regarding Wagering
23. Nancy Leon 7/6/2022 email regarding DEV2022-0002
24. Matt Lancaster 7/6/2022 email regarding Jackson Development
25. Richard Hobbins 7/8/2022 email regarding DEV2022-0002
26. Dave Bressler 7/7/2022 email regarding Fish Creek Road
27. Charles Davis 7/8/2022 email regarding STIP Letter Request: Wilson Truck Arrestor
28. LeeAnn Inberg-Schuff 7/8/2022 email regarding Fish Creek Road Development
29. Richard Sugden 7/8/2022 email regarding Fish Creek Development
30. Brot Coburn 7/8/2022 email regarding Fish Creek Development
31. Paul Vaughn 7/10/2022 email regarding Fish Creek Development
32. Hank Phibbs 7/10/2022 email regarding Fish Creek Development
33. Paul Vaughn 7/10/2022 email regarding Fish Creek Development
34. John Scott 7/10/2022 email regarding Fish Creek Development
35. Becky Zaist 7/11/2022 email regarding SPET Application for Assisted Living
36. Anne Cresswell 7/11/2022 email regarding Affordable Housing/Text Amendment
37. Perri Stern 7/11/2022 email regarding Jackson Street Apartments
38. Lisa Knapp 7/12/2022 email regarding Fair Board Application

PUBLIC COMMENT

Public comment was given by Tim Young regarding the proposed Wilson Truck Arrestor at the base of Teton Pass.
Public comment was given by Scott Horn regarding the proposed Wilson Truck Arrestor at the base of Teton Pass.
Public comment was given by Norm Duke regarding the proposed Wilson Truck Arrestor at the base of Teton Pass.
Public comment was given by Brot Coburn regarding the proposed Wilson Truck Arrestor at the base of Teton Pass.
Public comment was given by Bob Stroll regarding the proposed Wilson Truck Arrestor at the base of Teton Pass.
Public comment was given by Jodi Peterson regarding the proposed Wilson Truck Arrestor at the base of Teton Pass.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of End of Year Budget Amendment

Maureen Murphy, Teton County Clerk (via Zoom), presented to the Board for consideration of approval a request to amend the budget with the FY22 changes approved by the BCC for the fiscal year. These amendments have been

approved throughout the last twelve months by the Board of County Commissioners, have transferred from Contingency, or have revenue to the expense. The majority of the amendments have to do with the salary increase from January.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to adopt the proposed end of the year budget amendment for FY22 as noticed in the Jackson Hole News & Guide and on the Teton County Website as presented today. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

6. Consideration of Release of 2020 Subdivision Improvement Agreement and New Subdivision Improvement Agreement for Snake River Canyon Ranch Resort Phases 3 & 4

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval a release of an expired but not yet fully executed Subdivision Improvement Agreement (SIA) and execution of a new agreement for Snake River Canyon Ranch Resort Phase 3 & 4.

A Subdivision Improvement Agreement was executed January 7, 2020 between the Board of County Commissioners and SRSC Lots, LLC for the completion of the infrastructure work for Phases 3 & 4 of the Snake River Canyon Ranch Resort associated with DEV 2018-0001. The agreement specified that the infrastructure would be complete within two years of execution of the agreement, being January 2022. This date has passed and some of the work remains undone. Staff, along with Jorgensen Associates, the developer's consultant, have expressed that the developer was unable to meet the obligations within the agreement for various reasons, including COVID-related delays and supply chain issues. Staff has concerns that the terms of this agreement were not met by SRSC Lots, LLC, but worked in good faith with the developer and their consultant to develop a new Subdivision Improvement Agreement that accounts for the remaining work to be completed. Much of the work has been completed and documented with certification from Jorgensen. A new cost estimate of the remaining work has been developed and is attached to the new SIA as Exhibit A. Release of the existing expired Subdivision Agreement is included in this consideration to formally close the agreement dated January 7, 2020. A letter of credit for \$1,395,954.00 is currently in place but expires on August 10, 2022. This letter of credit shall be updated to a new calculated value of \$718,636.23 as soon as reasonably practicable by SRSC Lots, LLC after execution of this Agreement.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the Release of Subdivision Improvement Agreement dated January 7, 2020 and execute a new Subdivision Improvement Agreement for Snake River Canyon Ranch Resort Phase 3 & 4, and require SRSC Lots, LLC to amend the existing or create a new letter of credit in the amount of \$718,636.23 and file with County Planning Department as soon as practicable following execution of this agreement. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

7. Consideration of Contract Amendment with Ward+Blake Architects for Fair Community Building

Sarah Mann, General Services Manager, presented to the Board for consideration of approval an amendment to the original contract with Ward Blake Architects for architectural services for Phase 2 of the Fairgrounds Community Building Project.

The Fairgrounds' Pavilion/stall barn was converted for use as the temporary Fire Station 1 (FS1) to allow for the reconstruction of the existing FS1. Fire/EMS moved into the Fairgrounds building in the Spring of 2019 and resided therein until completion of FS1 at the end of April 2022. The plan for the building after the Fire Station exit was to convert the space into a Community Building. The lease with the Town of Jackson for the Fairgrounds has been extended to December 31, 2030, allowing this space to provide an amenity to the community for at least the next 8 years. In order to change the use of the space to a Community Building, the County needed to apply for a Conditional Use Permit. The County entered into a contract with Ward+Blake Architects which was approved by the BCC on December 21st, 2021. The contract consisted of the following scope of work: investigation of TOJ requirements for proposed changes, assisting Teton County with application for CUP, plans and specifications for modifications to the facility, and cost estimates for proposed modifications. Staff began working with Ward+ Blake to apply for the Conditional Use Permit (CUP) to change of use from Heavy Industrial to Assembly. The architect needed to determine a capacity for the new rentable spaces and any structural changes the building needs to undergo before it can reopen for public use. The change of use application was submitted to the Town at the end of May 2022 and the application is slated to be heard by the Town Council in August.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the amendment to the original contract dated 12/7/2021 with Ward + Blake Architects for Phase 2 of the Fairgrounds Community Building, not to exceed \$91,810.30. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

15. Consideration of a Letter to the Town of Jackson Regarding BUILD Funding for Stilson Transit Project

A letter to the Town of Jackson regarding BUILD Grant funding for the Stilson Transit Project.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the letter as presented. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

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| 1. Permit: | DEV2022-0002 – REQUESTED TO CONTINUE TO NOVEMBER 15, 2022 |
| Applicant: | LF&F, LLC |
| Presenter: | Chandler Windom |

Request: A Development Permit request for a 4-unit Rural-Planned Residential Development pursuant to Section 8.3.2 and 7.1.2 of the LDRs.
Location: 3975 N Fish Creek Road (PIDN 22-41-17-02-3-00-005) is located 2.5 miles north of Downtown Wilson and adjacent to Bridger-Teton National Forest. The site is zoned Rural-1 and is partially in the Natural Resources Overlay

Susan Johnson of SJ Planning Solutions, for the Applicant, presented the continuance request and answered questions from the Board.

Public comment on the continuance was given by Hank Phibbs, Lee-Anne InbergSchuff, and Matt Bambach.

Chandler Windom, Senior Planner, answered questions from the Board.

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to continue DEV2022-0002 to the August 2, 2022 Board of County Commissioners meeting. Chairwoman Macker called for a vote. The vote showed one in favor and the motion failed 1-4 with Commissioner Propst in favor.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue DEV2022-0002 to the October 4, 2022 Board of County Commissioners meeting. Chairwoman Macker called for a vote. The vote showed three in favor and the motion carried 3-2 with Commissioners Newcomb and Propst opposed.

The meeting recessed at 9:59 a.m. and reconvened at 10:05 a.m.

2. Permit: AMD2022-0001
Applicant: JACKSON HOLE COMMUNITY HOUSING TRUST
Presenter: Ryan Hostetter
Request: Proposal to amend the Teton County Land Development Regulations (LDRs), pursuant to Section 8.7.1, to amend Section 3.3.4. E. (Suburban zone) related to deed restricted affordable housing and add a new section No. 2 which would add language to allow streamlining of the process for review of deed restricted housing projects, specifically removing the requirement for a Sketch Plan. This amendment is made by the Jackson Hole Community Housing Trust to facilitate the streamlining of eligible deed restricted affordable housing projects within the Suburban zone.
Location: Countywide

Ryan Hostetter, Senior Long-Range Planner, presented to the Board for consideration of approval a proposal to amend the Teton County Land Development Regulations (LDRs), pursuant to Section 8.7.1, to amend Section 3.3.4. E. (Suburban zone) related to deed restricted affordable housing and add a new section No. 2 which would add language to allow streamlining of the process for review of deed restricted housing projects, specifically removing the requirement for a Sketch Plan. This amendment is made by the Jackson Hole Community Housing Trust to facilitate the streamlining of eligible deed restricted affordable housing projects within the Suburban zone. Alison Lee, the Applicant, commented on the application.

Public comment was given by Matt Bambach and Michael Stern.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve AMD2022-0001, to amend the Teton County Land Development Regulations (LDRs), to amend Section 3.3.4. E. (Suburban zone) related to 100% deed restricted affordable housing, and add a new section Number 2 which would add language to allow streamlining of the process for deed restricted housing projects, specifically removing the requirement for a Sketch Plan, being able to make the findings of Section 8.7.1 as recommended by the Planning Director and Planning Commission. Chairwoman Macker called for a vote. The vote showed three in favor and the motion carried 3-2 with Commissioners Newcomb and Propst opposed.

3. Permit: BDC2022-0004
Applicant: Aspens Properties I, LLC/Prospect Studio
Presenter: Chandler Windom
Request: A Building Permit request pursuant to Section 8.3.3. of the Land Development Regulations for a remodel of 25,392 sf and addition of 3,388 sf of commercial businesses space
Location: 4030 W Lake Creek Drive is located within the Aspens Commercial Area. The zoning is Auto-Urban Commercial, and the site is partially within the Natural Resources Overlay.

Chandler Windom, Senior Planner, presented to the Board a Commercial Building Permit application pursuant to Section 8.3.3 of the Land Development Regulations(LDRs) for a remodel (25,392 sf) & addition (3,388 sf) of the structure on Lot 139 Aspens 5th Filing in the Aspens Commercial District.

The applicant Prospect Studios, on behalf of the property owners, Aspens Properties I, LLC, submitted a request for a commercial building permit for addition and remodel of the structure at 4030 W Lake Creek Drive. In accordance with LDR Section 8.2.9.C. "If an application that would generally be subject to a decision by a County official will have significant local and community impacts that warrant public review, the County official may require the application be reviewed by the appropriate advisory bodies and decided upon by the appropriate decision-making body." Staff believes this application meets this criteria, and therefore, this it is being elevated to the Board of County Commissioners to allow for public review and analysis of the Aspens Commercial District Master Plan. The primary question is whether the Aspens Commercial District allows for increases in floor area, specifically on 4030 W Lake Creek Drive.

John Carney, the Applicant, commented on the application.

Public comment was given by Jason Woodward.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Planning Division review of BDC2022-0004 submitted April 1, 2022, for the proposed remodel and addition, being able to make all three (3) findings for a Building Permit. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 11:32 a.m. and reconvened at 11:38 a.m.

EXECUTIVE SESSION

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to enter executive session pursuant to WY Statute §16-4-405(a)(ii) concerning personnel. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

Commission Present: Natalia Macker, Luther Propst, Mark Barron and Mark Newcomb were present in-person. Greg Epstein was present online.

Others: Alyssa Watkins, Board of County Commissioners Administrator, Matt Carr, Teton County Sheriff, and Chalice Weichman, Deputy County Clerk, were present in-person.

The meeting entered executive session at 11:39 a.m.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to exit executive session. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting exited executive session at 11:46 a.m.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to proceed as discussed in executive session. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION

- a. Scheduling: The Board discussed their upcoming schedule.
- b. GEC Permit Process: the Board expressed the desire to make a future known matter for discussion regarding their practices for handling permitting processes between Engineering, Planning, and the Commission.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:53 a.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk